

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION**

ADRIAN HOYLE

PLAINTIFF

VS.

CIVIL ACTION NO.: 3:21-CV-00171-MPM-RP

CITY OF HERNANDO, MISSISSIPPI, ET AL.

DEFENDANTS

NOTICE OF CROSS-APPEAL

Pursuant to the Federal Rules of Appellate Procedure, statutory authority, and governing case law, notice is hereby given that Municipal Defendants the City of Hernando, Scott Worsham in his official capacity¹, and Officer Lynn Brown in his individual and official capacities (“Municipal Defendants”) appeal to the United States Court of Appeals for the Fifth Circuit from the District Court’s August 15, 2023 ORDER entered at Doc. No. 64 as well as any other appealable orders, decisions, or rulings affecting the rights of Municipal Defendants. In particular, the August 15, 2023 ORDER resulted in a denial of Municipal Defendants’ request for prevailing-party attorney’s fees, a ruling Municipal Defendants seek reversal on.

Dated: August 18, 2023.

Respectfully submitted,

PHELPS DUNBAR, LLP

BY: /s/ G. Todd Butler

G. Todd Butler, MB #102907

Mallory K. Bland, MB #105665

4270 I-55 North

Jackson, Mississippi 39211-6391

¹ Worsham is no longer Hernando’s police chief, and Plaintiff Adrian Hoyle has never made a substitution.

P. O. Box 16114
Jackson, Mississippi 39236-6114
Telephone: (601) 352-2300
Telecopier: (601) 360-9777
Email: ButlerT@phelps.com
BlandM@phelps.com

**ATTORNEYS FOR MUNICIPAL
DEFENDANTS**

CERTIFICATE OF SERVICE

I, G. Todd Butler, certify that I had this Notice of Cross-Appeal electronically filed with the Clerk of the Court, using the CM/ECF system, which sent notification of such filing to all counsel of record.

SO CERTIFIED, this the 18th day of August 2023.

/s/ G. Todd Butler

G. Todd Butler